

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

In the Matter of the Arbitration between)	
)	
MWN GROUP, INC.,)	
)	
Petitioner,)	
)	
v.)	No. 3:06-MC-47
)	(Phillips)
MAG USA, INC.,)	
)	
Respondent.)	

THIRD AMENDED JUDGMENT ON DECISION BY THE COURT

This Third Amended Judgment on Decision by the Court shall supercede the court's amended judgment filed September 19, 2007 [Doc. 24].

This case came before the court on the petition for order confirming final arbitration award by MWN Group, Inc. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the petitioner's motion,

IT IS ORDERED AND ADJUDGED that (1) MWN shall pay MAG \$37,301 for MWN's filing suit in Michigan rather than instituting arbitration proceedings, with interest thereon at an annual rate of 10% from January 13, 2005 until the date of entry of this judgment, post-judgment interest shall be at an annual rate of 4.83% until the date of actual payment; (2) MWN shall pay MAG \$1 as moral damages for failure of MWN to return proprietary information, with interest thereon at an annual rate of 10% from January 13, 2005 until the date of entry of this judgment, post-judgment interest shall be at an annual

rate of 4.83% until the date of actual payment; (3) MAG shall pay MWN \$2,385,128 for commissions due upon improper termination of the Agreement, with interest thereon at an annual rate of 10% from October 6, 2004, until the date of entry of this judgment, post-judgment interest shall be at an annual rate of 4.83% until the actual date of payment; (4) MAG shall pay to MWN \$54,381 representing a portion of the costs of arbitration, with interest thereon at an annual rate of 10% from June 12, 2006 until the date of entry of this judgment, post-judgment interest shall be an an annual rate of 4.83% until the actual date of payment; and (5) MAG shall pay to MWN \$135,608.92 for 50% of MWN's attorney fees and costs, with interest thereon at an annual rate of 10% from June 12, 2006 until the date of entry of this judgment, post-judgment interest shall be at an annual rate of 4.83% until the actual date of payment.

Dated at Knoxville, Tennessee, this _____ day of September, 2007.

s/ Patricia L. McNutt
Clerk of Court